

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSIAH A. CLEMENTS,

Plaintiff,

-against-

MEMORANDUM AND ORDER
10-CV-0422 (JS)(ARL)

NASSAU COUNTY CORRECTIONAL CENTER,
C.O. BENSON #421,

Defendants.

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APPEARANCES:

For Plaintiff: Josiah A. Clements, Pro Se
100 Carman Avenue
East Meadow, New York 11554

For Defendants: No Appearance

SEYBERT, District Judge:

By Memorandum and Order dated April 30, 2010, the undersigned granted the application of pro se Plaintiff Josiah A. Clements ("Plaintiff") to proceed in forma pauperis and sua sponte dismissed his claim asserted against Defendant Nassau County Correctional Center ("NCCC").

In accordance with the April 30, 2010 Memorandum and Order, the Superintendent of the facility in which Plaintiff is incarcerated must forward to the Clerk of the Court a certified copy of the Prisoner's trust fund account for the six months immediately preceding this Order, in accordance with Plaintiff's authorization in his in forma pauperis application. The agency holding Plaintiff in custody must calculate the amounts specified by 28 U.S.C. § 1915(b), deduct those amounts from his prison trust fund account, and disburse them to the Clerk of the United States

District Court for the Eastern District of New York. The Warden or Superintendent shall not deduct more than twenty percent from the prisoner's trust fund account.

The Clerk of the Court is directed to forward to the United States Marshal for the Eastern District of New York copies of Plaintiff's Summons, Complaint, and this Order for service upon the Defendants without prepayment of fees. Furthermore, the Clerk must mail a copy of this Order, together with Plaintiff's authorization, to the Plaintiff and the Superintendent of the facility in which Plaintiff is incarcerated.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
May 5, 2010